

**Rec'd PCT/PTO 06 OCT 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Confirmation No. 1155

TISI et al.

Atty. Ref.: 292-97

Serial No. 10/541,364

T.C. Art Unit: 1635

Filed: July 6, 2005

Examiner: Not Known

For: METHOD FOR DETERMINING THE AMOUNT OF TEMPLATE NUCLEIC ACID  
PRESENT IN A SAMPLE

\* \* \* \* \*

**SMALL ENTITY CLAIM AND REFUND REQUEST**

October 6, 2005

**Mail Stop 16**Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants for the subject application claim small entity status. Fees were paid at the non-small entity rate when this application was filed on July 6, 2005. Therefore, please refund one-half of the basic national fee, search fee, examination fee, surcharge, and extra claims fee as paid in this application by crediting \$990 to our Account No. 14-1140 under Order No. 292-97.

When this request is approved, please return a copy of this request marked "approved" directly to the undersigned for which purposes this request is submitted in triplicate.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**By: Gary R. Farigawa  
Reg. No. 43,180901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

BEST AVAILABLE COPY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

TISI et al.

Serial No. 10/541,364

Filed: July 6, 2005

For: METHOD FOR DETERMINING THE AMOUNT OF TEMPLATE NUCLEIC ACID PRESENT IN A SAMPLE

Attention: Application Branch  
Atty. Dkt. 292-97

Date: October 6, 2005

1635  
PCT  
1006 Rec'd PCT/PTO 06 OCT 2005

## Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:☐ Correspondence Address Indication Form Attached.☒ SIGNED RULE 63 DECLARATION ALONE, ☐ Copy of Declaration from prior application alone, OR☐ Signed Declaration plus attached copy of originally filed specification/drawings.☐ NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED form.☐ Record the attached assignment to \_\_\_\_\_ and return to the undersigned.☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

Country

Day/Month/Year Filed

0300802.6

United Kingdom

14 January 2003

PCT/GB2004/000127

14 January 2004

respectively.

☐ Certified copy(ies) of foreign application(s) is/are attached.☒ Certified copy(ies) in prior application no. PCT/GB2004/000127, filed 14 January 2004.☒ Applicant claims "small entity" status. ☐ "Small entity" statement attached.☒ Also attached: ☒ Information Disclosure Statement, Form PTO-1449 and References

Fees due are calculated below: Filed BEFORE 12/8/04 = \$790.00 (1001)/\$395.00 (2001)

Basic filing fee Filed ON OR AFTER 12/8/04 \$300.00 (1011)/\$150.00 (2011) \$

Search Fee \$500.00 (1111)/\$250.00 (2111) \$

Examination Fee \$200.00 (1311)/\$100.00 (2311) \$

Application Size Fee for each add'l 50 sheets that exceeds 100 sheets)

Total pages: 0-100 = 0.00 0 \$0.00(1081)/ \$0.00 (2081) \$

Total effective claims 37 - 20 (at least 20) = x \$50.00 = \$0.00 (1202)/\$0.00 (2202) \$

Independent claims 1 - 3 (at least 3) = 0 x \$200.00 = \$0.00 (1201)/\$0.00 (2201) \$

If any proper multiple dependent claims now added for first time (ignore improper), add

\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and

attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)

Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Surcharge if Declaration or filing fee first now submitted: \$130.00 (1051)/\$65.00 (2051) \$

English translation of specification and claims \$130.00 (1053) \$

Assignment Recording Fee \$40.00 (8021) \$

TOTAL FEE DUE \$ 0.00

☐ CREDIT CARD PAYMENT FORM ATTACHED.Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor

Arlington, Virginia 22203-1808

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

GRT:ap

NIXON &amp; VANDERHYE P.C.

By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 

BEST AVAILABLE COPY

**Nixon & Vanderhye PC.**

ATTORNEYS AT LAW

11TH FLOOR  
901 NORTH GLEBE ROAD  
ARLINGTON, VIRGINIA 22203-1808

TELEPHONE: (703) 816-4000  
FACSIMILE: (703) 816-4100  
WRITER'S DIRECT DIAL NUMBER:  
(703) 816-4406

***FACSIMILE COVER SHEET***  
**PLEASE DELIVER IMMEDIATELY!!!!**

Our Ref.: 292-97  
Your Ref.: 10/541,364 Date: March 1, 2006

To: Ms. Barbara Campbell  
Firm: U.S. Patent and Trademark Office  
Facsimile No.: 571 273-9886  
From: Gary Tanigawa

Number of Pages (including cover sheet): 3  
(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,  
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).)

\_\_\_\_\_  
FACSIMILE OPERATOR

**MESSAGE:**

Per your request, attached are copies of (i) our coversheet and (ii) our Small Entity Claim and Refund Request submitted on October 6, 2005. The former is also part of the IFW as "Miscellaneous Incoming Letter" with a mailroom date of 10/06/2005.

**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED. If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.

BEST AVAILABLE COPY